

RALPH S. JANVEY, IN HIS CAPACITY AS                 \$  
COURT-APPOINTED RECEIVER FOR THE                 \$  
STANFORD INTERNATIONAL BANK, LTD.,                 \$  
ET AL.   \$

V.

Defendants.

Case No. 03:09-CV-0724-N

The Receiver, Ralph S. Janvey, (the “Receiver”) hereby files this Second Supplemental Complaint Against Certain Stanford Investors (the “Second Supplemental Complaint”), stating as follows:

1. On December 7, 2009, the Receiver filed a First Amended Complaint Against Certain Stanford Investors (Doc. 128) and an Appendix in support thereof (Doc. 129) (collectively, the “First Amended Complaint”). On February 18, 2010, the Receiver filed a Supplemental Complaint Against Certain Stanford Investors (Doc. 320) and an Appendix in support thereof (Doc. 321) (collectively, the “First Supplemental Complaint”). This Second Supplemental Complaint is intended to supplement the First Amended Complaint and the First Supplemental Complaint.

2. The Stanford Investors listed on pages 1 and 2 of the Appendix in Support of the Second Supplemental Complaint (the “Appendix”) received, at a minimum, the “Total CD Proceeds” amounts associated with their names in the Appendix. In addition, each of these

Stanford Investors received more in CD Proceeds than they invested in SIBL CDs, as shown in the Appendix column entitled “CD Proceeds Received in Excess of Investments.”

3. For the reasons stated in the First Amended Complaint, which are incorporated herein, the Receiver asserts fraudulent-transfer and, in the alternative, unjust-enrichment claims against these Stanford Investors and requests the same relief as to the amounts listed in the Appendix as he did for the amounts listed in the First Amended Complaint and the First Supplemental Complaint.

### **PRAYER**

4. The Receiver respectfully requests the following:
- (a) An Order providing that CD Proceeds received directly or indirectly by the Stanford Investors from fraudulent CDs were fraudulent transfers under applicable law or, in the alternative, that the Stanford Investors were unjustly enriched by CD Proceeds received directly or indirectly from fraudulent CDs;
  - (b) An Order providing that CD Proceeds received directly or indirectly by the Stanford Investors from fraudulent CDs are property of the Receivership Estate;
  - (c) An Order providing that CD Proceeds received directly or indirectly by the Stanford Investors from fraudulent CDs are subject to a constructive trust for the benefit of the Receivership Estate;
  - (d) An Order establishing the amount of CD Proceeds each of the Stanford Investors received;

- (e) An Order providing that each of the Stanford Investors is liable to the Receivership Estate for an amount equaling the amount of CD Proceeds he, she, or it received from fraudulent CDs;
- (f) An award of costs, attorney's fees, and prejudgment interest; and
- (g) Such other and further relief as the Court deems proper under the circumstances.

Dated: February 22, 2010

Respectfully submitted,

**BAKER BOTTS L.L.P.**

By: /s/ Kevin M. Sadler

Kevin M. Sadler  
Texas Bar No. 17512450  
kevin.sadler@bakerbotts.com  
Robert I. Howell  
Texas Bar No. 10107300  
robert.howell@bakerbotts.com  
David T. Arlington  
Texas Bar No. 00790238  
david.arlington@bakerbotts.com  
1500 San Jacinto Center  
98 San Jacinto Blvd.  
Austin, Texas 78701-4039  
(512) 322-2500  
(512) 322-2501 (Facsimile)

Timothy S. Durst  
Texas Bar No. 00786924  
tim.durst@bakerbotts.com  
2001 Ross Avenue  
Dallas, Texas 75201  
(214) 953-6500  
(214) 953-6503 (Facsimile)

**ATTORNEYS FOR RECEIVER RALPH S. JANVEY**

### **CERTIFICATE OF SERVICE**

On February 22, 2010, I electronically submitted the foregoing document with the clerk of the court of the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I will serve the Stanford Investors individually or through their counsel of record, electronically, or by another means authorized by the Court or the Federal Rules of Civil Procedure.

/s/ Kevin M. Sadler

Kevin M. Sadler